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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO: 4:21- MJ-71869 MAG
)	
Plaintiff,)	STIPULATION REGARDING STATUS
)	CONFERENCE AND FINDINGS OF
v.)	EXCLUDABLE TIME PERIOD, AND
)	ORDER
REGINALD PATILLO,)	
)	
Defendant.)	

The United States, by and through its counsel, Assistant United States Attorney Mohit Gourisaria, and defendant Reginald Patillo, by and through his counsel, Assistant Federal Public Defender Jerome Matthews, hereby stipulate as follows:

1. On November 23, 2021, the Honorable Kandis Westmore, United States Magistrate Judge, signed a federal criminal complaint charging defendant with possession of a firearm and/or ammunition by a convicted felon, in violation of 18 U.S.C. § 922(g)(1). Dkt. 1.

2. On December 10, 2021, defendant filed a waiver of his right to a preliminary hearing under Fed. R. Crim. P. 5.1. Dkt. 22.

1 3. To allow defense counsel the opportunity to review discovery, due to ongoing
2 discussions about a potential ultimate resolution in this case, and because defendant is currently placed
3 under quarantine at Santa Rita, the parties stipulate and respectfully request that the Court continue the
4 arraignment and status scheduled for January 12, 2022 to January 28, 2022 at 10:00 a.m.

5 4. For purposes of computing the date under the Speedy Trial Act by which defendant must
6 be charged by indictment or information, the parties agree that the time period of January 12, 2022
7 through January 28, 2022 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i) and
8 (h)(7)(B)(iv) because the delay results from a continuance granted by the Court at the government's
9 request, without the defendant's objection, on the basis of the Court's finding that: (i) the ends of justice
10 served by the continuance outweigh the best interest of the public and defendant in the filing of an
11 indictment or information within the period specified in 18 U.S.C. § 3161(b); and (ii) failure to grant the
12 continuance would unreasonably deny defense counsel the reasonable time necessary for effective
13 preparation, taking into account the exercise of due diligence.

14 5. Nothing in this stipulation shall preclude a finding that other provisions of the Speedy
15 Trial Act dictate that additional time periods be excluded from the period within which an indictment or
16 information must be filed.

17 The undersigned Assistant United States Attorney certifies that he has obtained approval from
18 counsel for the defendant to file this stipulation and proposed order.

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1 IT IS SO STIPULATED.

2 Dated: January 12, 2022

STEPHANIE M. HINDS
Acting United States Attorney

3
4 /s/
5 MOHIT GOURISARIA
6 Assistant United States Attorney

7
8 Dated: January 12, 2022

9 /s/
10 JEROME MATTHEWS
11 Assistant Federal Public Defender
12 Attorney for Defendant
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ORDER

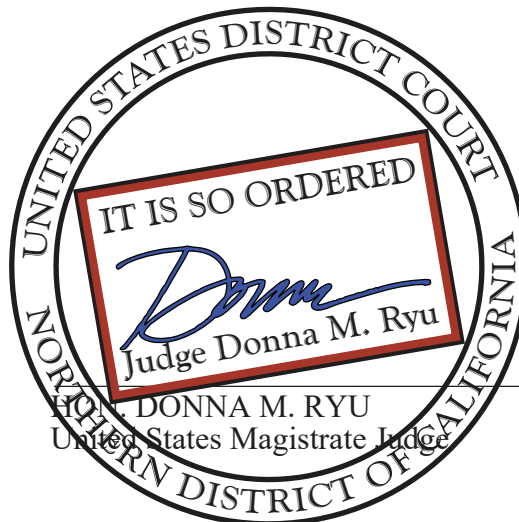
The Court has read and considered the Stipulation regarding Findings of Excludable Time Period Pursuant to Speedy Trial Act, filed by the parties in this matter. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161. The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in the filing of an indictment or information within the time period set forth in 18 U.S.C. § 3161(b); and (ii) failure to grant the continuance would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

THEREFORE, FOR GOOD CAUSE SHOWN:

An arraignment in this matter is scheduled for 10:00 a.m. on January 28, 2022. The time period of January 12, 2022 through January 28, 2022, inclusive, is excluded in computing the time within which an indictment or information must be filed under 18 U.S.C. § 3161(b) pursuant to the provisions of 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i), and (B)(iv). Nothing in this Order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excluded from the period within which an indictment or information must be filed.

IT IS SO ORDERED.

January 12, 2022
DATED



HON. DONNA M. RYU
United States Magistrate Judge